

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Carl Green,
Assignee of Kathlyn Gray,

Civ. No. 20-798 (JRT/BRT)

Plaintiff,

ORDER

v.

Chamberlain Home Owners Association,

Defendant.

The Court issued a Report and Recommendation on May 15, 2020, recommending dismissal for failure to prosecute because Plaintiff had not paid the filing fee. (Doc. No. 13.) On June 4, 2020, the Court received the filing fee payment from Plaintiff in full. (Doc. No. 14.)

Accordingly, **IT IS HEREBY ORDERED** that:

1. The Court's May 15, 2020 Report and Recommendation is **VACATED**.
2. Defendant's Motion to Dismiss (Doc. No. 5) thus now remains pending.

Any response by Plaintiff to Defendant's Motion to Dismiss shall be filed on or before **July 6, 2020**. Any reply by Defendant to Plaintiff's response shall be filed **14 days** after receipt of Plaintiff's response. Upon receipt of all briefing, the Court will issue an Order on the motion without oral argument, unless otherwise ordered by the Court.

Date: June 8, 2020

s/ Becky R. Thorson
BECKY R. THORSON
United States Magistrate Judge